City of Lafayette
Public Meeting Agenda
City Council Special Meeting
Redevelopment Agency Special Meeting

Monday, March 23, 2009 **6:00 pm**
Lafayette Community Center – **Sequoia Room**
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. CLOSED SESSION
   A. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Monday, March 23, 2009 **6:30 pm**
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. REPORT FROM CLOSED SESSION
6. PUBLIC COMMENTS

Convene Jointly with the Environmental Task Force and Capital Projects Assessment Committee

7. PRESENTATIONS
   A. **Environmental Task Force**
   Report on Goals and Accomplishments 2009
   Recommendation: Approve proclamation and present.

   B. **Capital Projects Assessment Committee**
   Report on Goals and Accomplishments 2009
   Recommendation: Receive and file.

Adjourn joint session with Environmental Task Force and Capital Projects Assessment Committee

8. OLD BUSINESS
   A. **Niroop Srivatsa, Planning & Building Services Manager**
   Upgrading and Updating the City's Drainage Impact and Walkways Fees – a study approved in the 2008 and 2009 planning division work plans.
   Recommendation: Accept the reports and authorize staff to schedule a public hearing in April.

   B.

9. STAFF REPORTS
   A. **Ann Merideth, Community Development Director**
   Introduce Ordinance 582 regarding the SB 1045 amendment to the Lafayette Redevelopment Plan on the effectiveness and time limit to receive tax increment
   Recommendation: Introduce Ordinance 582 and continue to April 13, 2009 for second reading and adoption.

10. PUBLIC HEARINGS
    A. **Christine Sinnette, Senior Planner**
    Initiate Proceedings to Amend General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill Road from Low Density Single Family Residential to Rural Residential Single Family and one property (232-140-014) on Deer Hill Road from

Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family. The City may also consider initiating proceedings to amend General Plan Map I-1 to reclassify two properties (APN 232-150-027 and 232-150-028) located on Deer Hill and Pleasant Hill roads from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Multifamily Residential. GP02-08, CITY OF LAFAYETTE (APPLICANT), ANNA MARIA DETTMER TRUST, MICHAEL & SARA KIM, ZBIGNIEW NAGLICKI LIVING TRUST, STATE OF CALIFORNIA (OWNERS)

Initiate Proceedings to change the zoning designation for four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill Road from R-20 to L-R-10 and one property on Deer Hill Road from APO to L-R-10. The City may also consider initiating proceedings to rezone two properties (APN 232-150-027 and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or MRP and/or MRT.
RZ02-08, CITY OF LAFAYETTE (APPLICANT), ANNA MARIA DETTMER TRUST, MICHAEL & SARA KIM, ZBIGNIEW NAGLICKI LIVING TRUST, STATE OF CALIFORNIA (OWNERS)
Recommendation: Conduct the public hearing, consider the matter and direct staff to initiate proceedings to amend the General Plan and zoning designations by motion.

11. CONSENT CALENDAR
    A. **City Council Minutes**
        1. **March 9, 2009**
           Recommendation: Approve.
        2. **March 16, 2009**
           Recommendation: Approve.

    B. **Resolution 2009-16 Ordering the Preparation of a Report Proposing the Levy of Assessments for 2009-2010 for the Core Area Landscaping and Lighting District 1979-1**
       Recommendation: Adopt Resolution 2009-16.

    C. **Resolution 2009-17 Ordering the Preparation of a Report Proposing the Levy of Assessments for 2009-2010 for the Residential Lighting District 1979-2**
       Recommendation: Adopt Resolution 2009-17.

    D. **Award of Contract for Project Number 014-9672 Stanley Boulevard Sidewalk**
       Recommendation: 1) Adopt the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act. 2) Award Stanley Boulevard Sidewalk Project Number 014-9672, construction contract to North Bay Construction in the amount of $191,357.00.

    E. **Award of Contract for Project Number 014-9674 2009 Road and Drain Improvement Project – Part A (Victoria Avenue, Victoria Court, Camino Colorados, Hermosa Court)**
       Recommendation: 1) Adopt the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act. 2) Award 2009 Road and Drain Improvement Project Number 014-9674 Part A, construction contract to Grade Tech, Inc. in the amount of $745,644.

    F. **Award of Contract for Project Number 014-9676 Mount Diablo Multi-Purpose Pathway**
       Recommendation: 1) Reject the bid protest made by Grade Tech Inc. 2) Adopt the project plans, specifications, and project details to conform to the Uniform Construction Accounting

Act. 3) Award Mount Diablo Multi-Purpose Pathway Project Number 014-9676, construction contract to HSR in the amount of $198,894.00.

G. **Agreement for Installation and Maintenance of Existing and New Landscaping between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046**
Recommendation: Accept Agreement for Installation and Maintenance of Existing and New Landscaping between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046 and authorize City Clerk to record.

H. **Stormwater Management Facilities Operations and Maintenance Agreement and Right of Entry between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046**
Recommendation: Accept Stormwater Management Facilities Operations and Maintenance Agreement and Right of Entry between Temple Isaiah of Contra Costa County and the City of Lafayette, located at 3800 Mt. Diablo Boulevard, APN 241-010-046 and authorize City Clerk to record.

I. **Approval of Minor Subdivision 503-06, 45 Prado Way: Authorization to execute access driveway agreement; authorization to record parcel map, acceptance of open space easement**
Recommendation: 1) Approve the Minor Subdivision 503-06, 45 Prado Way and driveway agreements and authorize the execution of both and recordation of the parcel map. 2) Accept the grant of open space easement and authorize a recordation of the parcel map.

J. **Lafayette's Comments on the Contra Costa Transportation Authority's 2009 Countywide Comprehensive Transportation Plan**
Recommendation: Receive and file.

K. **Code Enforcement Activity Report**
Recommendation: Receive and file.

Convene Redevelopment Agency

L. **Adjust Redevelopment Agency budget to reflect a payment of $229,495 to the Education Revenue Augmentation Fund (ERAF) before May 1, 2009 reserving any rights the agency may have to withhold or recover the payment of funds under Health and Safety Code Section 33685 based on any order or judgement of the Court in CRA v. Genest.**
Recommendation: Adjust the Redevelopment Agency budget to reflect a payment of $229,495 to the Education Revenue Augmentation Fund (ERAF) with reservation of rights to withhold or recover the payment.

M. **Settlement Agreement And General Release Between The Lafayette Redevelopment Agency And C. Overaa & Co. For The Lafayette Library And Learning Center Project**
Recommendation: Authorize Chair to Execute Agreement.

Adjourn Redevelopment Agency

12. COUNCIL/COMMISSION REPORTS
    A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

13. WRITTEN COMMUNICATIONS

A. **Memo received March 3, 2009 from BB&K regarding new rules effective February 2, 2009 for gifts of tickets and/or passes to public officials.**
Recommendation: Discuss and direct staff to prepare a resolution defining a city policy regarding gifts of tickets or passes to public officials.

B. **Letter dated March 3, 2009 from Donald Anderson, Community Services Director, Lafayette Rotary Club, requesting permission to use Lafayette Plaza on Saturday, April 11, 2009 from 9:45 am to 11:00 am for the Spring Egg Hunt.**
Recommendation: Discuss and direct staff.

C. **Letter dated March 9, 2009 from Jay Lifson, CEO, Lafayette Chamber of Commerce, requesting permission to use Lafayette Plaza for a party for supporters of the TRY LAFAYETTE FIRST program, on Friday, June 5th from 5:00 pm to 8:00 pm and cone off the street in front of Squirrel Coffee Shop at 4:00 pm for set-up.**
Recommendation: Discuss and direct staff.

14. ADJOURNMENT to the next regularly scheduled meeting on Monday, April 13, 2009.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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